

## **REMARKS**

By the *Final Office Action* of 2 February 2006, Claims 1-20 are pending in the Application, and all rejected. Applicant amends Claims 1-4, and leaves unchanged the remaining Claims.

No new matter is believed introduced by the present *Response and Amendment After Final Rejection*. It is respectfully requested that the present amendments be entered, and respectfully submitted that the present Application is in condition for allowance for the following reasons.

### **1. Rejection Of The Claims Under 35 USC § 102**

Claims 1-2 and 19-20 are rejected under 35 USC § 102(a) as being anticipated by Japanese Patent No. 63-280946 to Natsushiro et al. Applicant respectfully submits that, as amended, Claims 1-2 and 19-20 are not anticipated by Natsushiro et al.

Claim 1 is initially amended, as are Claims 2-4, to remove the reference numerals more commonly used in European practice.

Claim 1 is also amended to clarify the definition of the “transition region” of the transverse element. The reason for doing so is that Applicant has come to see that perhaps earlier versions of Claim 1 left room for an interpretation and understanding of the nature and location of the “transition region” other than that Applicant intended to claim. It is respectfully submitted that with the amendments to Claim 1, Applicant has clarified the definition of the “transition region” of the transverse element, which clarification better illustrates the patentable distinctions between the present invention and Natsushiro et al.

In particular, on the basis of the Examiner’s *Response to Arguments* in the *Final Office Action*, (see *Final Office Action*, Page 4+), Applicant concludes that one could indeed consider a saddle part section of Natsushiro et al. as forming part of the transition region, as the Examiner does. Obviously, in that case, when Natsushiro et al. is taken into account, the relatively large radius of the saddle part section is regarded as the relatively large radius of a first part of a transition region as recited in the Claim, whereas the small radius of the actual transition region of the transverse element shown in Natsushiro et al., which is located between the saddle part and the contact surface, is regarded as the relatively small radius of a second part of the

transition region as recited in the Claim.

In amended Claim 1, the transition region “is defined” as being present between the supporting surface and the pulley sheave contact surface “and interconnecting the supporting surface and the pulley sheave contact surface”. This amendment to Claim 1 is supported in the originally filed application, including figures. *See*, for example, U.S. Patent App. No. 20040072644 at ¶7.

With this clarification to Claim 1, it is respectfully submitted that it is now clear that a saddle part section of Natsushiro et al. can not be read to be a part of Claim 1’s “transition region”, as it is comprised by the supporting surface that is mentioned in the definition of the transition region, and this supporting surface is connected to the transition region, instead of being a part of the transition region.

Radius (R1) which is shown in figure 4 of Natsushiro et al. is the radius of the lower saddle parts of the transverse element. Natsushiro et al. does not provide a reason to assume that a transition region that is extending between a lower saddle part and a contact surface being located at one side of the transverse element comprises two parts having different radii, wherein one part has the same radius (R1) as the lower saddle part that is connected to the transition region. Moreover, it seems more likely that the shape of the transition region is kept as simple as possible, i.e. that the transition region has only one radius, as the focus of Natsushiro et al. is at the mass production of transverse elements.

On the basis of the foregoing, it is respectfully shown that the fact that the transition region that is defined between the supporting surface and the pulley sheave contact surface, and which interconnects the supporting surface and the pulley sheave contact surface, comprises two parts having different curvature radii is not known from, nor rendered obvious by, Natsushiro et al.

In view of the amendments to Claim 1, it is respectfully submitted that this ground of rejection is overcome, and Claims 1-2 and 19-20 are novel over Natsushiro et al.

## **2. Claim Rejections Under 35 USC § 103**

Claims 5-18 are rejected under 35 USC § 103(a) as being unpatentable over Natsushiro et al. Claims 5-18 are believed allowable as dependent from allowable Claim 1 because Natsushiro

et al. does not anticipate all the elements of Applicant's amended Claim 1.

Claims 3-4 are rejected under 35 USC § 103(a) as being unpatentable over Natsushiro et al. in view of US Patent No. 6,110,065 to Yagasaki et al. Claims 3-4 are believed allowable as dependent from allowable Claim 1 because Natsushiro et al. does not anticipate all the elements of Applicant's amended Claim 1.

### **3. Fees**

No Claims fees are due, as the total number of Claims, and independent Claims, remains the same as upon original filing.

Further, this *Response and Amendment After Final Rejection* is being filed within two months of the *Office Action*. Thus, it is believed no extension of time fees are due.

Nonetheless, authorization to charge deposit account No. 20-1507 is given herein should fees be due.

## **CONCLUSION**

By the present *Response and Amendment After Final Rejection*, the Application has been in placed in full condition for allowance. Accordingly, Applicant respectfully requests early and favorable action. Should the Examiner have any further questions or reservations, the Examiner is invited to telephone the undersigned Attorney at 404.885.2773.

Respectfully submitted,

**Certificate of Transmission:**

I hereby certify that this correspondence is being submitted by e-filing to the Patent and Trademark Office in accordance with §1.8 on this date, \ via the EFS-Web electronic filing system.

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